

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LEO ARCHER,

Petitioner,

No. CIV S-04-2249 MCE KJM P

vs.

SOLANO COUNTY SUPERIOR COURT,

Respondent.

ORDER

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Petitioner is a state prisoner proceeding with counsel with an application for writ of habeas corpus under 28 U.S.C. § 2254. On July 8, 2007, petitioner filed a motion asking that this action be stayed pending a jury determination as to whether petitioner's sanity has been restored and release from state custody is appropriate. Because it appears that this action will be moot if petitioner is released from custody, petitioner's motion for a stay will be granted.

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Accordingly, IT IS HEREBY ORDERED that:

1. Petitioner's August 8, 2007 motion for a stay is granted;
2. This matter is stayed;
3. Petitioner shall file a status report with the court when the current trial court proceedings concerning the restoration of petitioner's sanity are complete; and
4. The Clerk of the Court is directed to administratively close this case.

DATED: August 16, 2007.


U.S. MAGISTRATE JUDGE

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